

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ALEXANDER ALHOVSKY,

Plaintiff,

-against-

THOMAS RYAN, NEW YORK CITY POLICE  
DEPARTMENT DETECTIVES "1-5", NEW YORK CITY  
POLICE DEPARTMENT OFFICERS "1-10", JACK T.  
LINN, STEVE SIMON, RAY BROWN, BARBARA  
BROWN, and the NEW YORK CITY DEPARTMENT OF  
PARKS AND RECREATION, and the CITY OF NEW  
YORK,

**DECLARATION OF  
SUZETTE CORINNE RIVERA**

07 CV 7628 (CM)

Defendants.

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**SUZETTE CORINNE RIVERA**, declares pursuant to 28 U.S.C. § 1746, under  
penalty of perjury, that the following is true and correct:

1. I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for defendants City of New York and Thomas Ryan ("City defendants"). As such, I am familiar with the facts stated below and submit this declaration to place on the record the relevant documents in support of defendants' motion for judgment on the pleadings pursuant to Fed. R. Civ. P. 12 (c), or, in the alternative, for summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure.
2. Attached as exhibit A is the amended complaint.
3. Attached as exhibit B is City defendants' answer to the amended complaint.
4. Attached as exhibit C are pages 114 and 115 from the transcript of plaintiff's deposition testimony taken on January 10, 2008.

5. Attached as exhibit D is a Supplemental Unusual Occurrence Report dated June 26, 2006.
6. Attached as exhibit E is an Unusual Occurrence Report dated June 26, 2006.
7. Attached as exhibit F is a Complaint Follow-Up Informational dated June 26, 2006.
8. Attached as exhibit G is a Complaint Follow-Up Informational dated June 25, 2006.
9. Attached as exhibit H is a copy of Penal Law Section 240.65, Placing a false bomb or hazardous substance in the first degree.
10. Attached as exhibit I is a Complaint Follow-Up Informational dated June 26, 2006.
11. Attached as exhibit J is a Complaint Follow-Up Informational dated June 25, 2006.
12. Attached as exhibit K is a Complaint Follow-Up Informational dated June 27, 2006.
13. Attached as exhibit L is a Supplemental Unusual Occurrence Report dated June 28, 2006.
14. Attached as exhibit M is a Complaint Follow-Up Informational dated June 28, 2006.
15. Attached as exhibit N is an Affidavit from Detective Thomas Ryan dated April 29, 2008.
16. Attached as exhibit O is a Complaint Follow-Up Informational dated June 28, 2006.

17. Attached as exhibit P an Omniform System Arrests Form dated June 28, 2006.
18. Attached as exhibit Q are still images from the video taken inside of Starbucks on June 25, 2006, of plaintiff inside of the location.
19. Attached as exhibit R are photographs of the device that was left at Starbucks on June 25, 2006.
20. Attached as exhibit S are pages 133 – 134 from the transcript of plaintiff's deposition testimony taken on January 10, 2008.
21. Attached as exhibit T is page 135 from the transcript of plaintiff's deposition testimony taken on January 10, 2008.
22. Attached as exhibit U is page 134 from the transcript of plaintiff's deposition testimony taken on January 10, 2008.

Dated: New York, New York  
May 1, 2008

MICHAEL A. CARDOZO  
Corporation Counsel of the City of New York  
Attorney for Defendants City of New York and  
Thomas Ryan  
100 Church Street, Room 3-196  
New York, New York 10007  
(212) 788-9567

By:

  
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Suzette Corinne Rivera (SR 4272)  
Assistant Corporation Counsel